# ADOPTION OF THE PRUSSIAN MODEL FOR MUNICIPAL GOVERNMENT IN MEIJI JAPAN: PRINCIPLES AND COMPROMISES

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THE Meiji leaders early became convinced of the need to bring Japanese governmental and institutional practices into line with Western legal and constitutional systems in order to gain the respect of the powerful Western nations and thereby insure their own national security against them. This approach was legitimized by the Fifth Article of the Charter Oath of 1868 that formed the basic policies of the new regime. It read:

> Wisdom and ability should be sought after in all quarters of the world for the purpose of firmly establishing the foundations of the empire.[1]

Since Europe, unlike the Chinese Empire, was not unified, it provided a variety of choices of governmental systems from which the Japanese could select. The first step was to understand them in general terms, making some preliminary choices on the basis of the apparent success of certain countries. The next step was to examine the history of Japan's own institutions so that choices would correspond with both the conditions and needs in Japan. The next step was a more detailed study of Western countries, involving longer stays abroad and the hiring of foreign advisors to come to Japan for detailed technical advice in the drawing up of new codes. While in reality not as clear-cut as this, this was the general process of the adoption of foreign models in legal, administrative, and governmental reorganization. The consequences of the choices often turned out very differently from expected, but nevertheless the Meiji leaders proved to be quite sophisticated and astute borrowers, well aware of the difficulties involved.

Behind this apparently scientific approach, however, political conflict between those in power and their opponents and rivalry among the various Meiji leaders themselves also played a role, making the process less rational and more arbitrary. It is often difficult to tell whether differences were truly ones of philosophical conviction or of personality and faction. Nevertheless, it is clear that on certain matters those in power closed ranks against opponents on the outside, such as with regard to the questions of having a unitary state or not or whether or not to curb political freedoms. And even the opponents appeared to share monarchist sentiments as well as fears of too great popular participation in political affairs by the peasants and the propertyless.

[1] This translation is from [5, p. 112].

This study focuses on one system or one set of institutions within the legal and constitutional structure that was consummated by the Meiji Constitution of 1889 and the opening of the Imperial Diet in the following year. That is the system of city, town, and village "self-government," which may somewhat arbitrarily be referred to as the Municipal Code of 1888. In contemporary German thought of the time, which provided the philosophy for this reform, local self-government was considered the "root" and constitutional government the "flower." This was part of the rationale for the creation of the local government system before the promulgation of the Constitution. However, this rationale was accepted only with great difficulty in the face of a contradictory Japanese concept which said that "the higher should proceed the lower."

The slight leeway or flexibility that this self-government provided by way of a limited participation of the propertied classes on the lower level in the Meiji structure, probably helped to preserve the system. If the Meiji government had become a completely absolutist or totalitarian one, it may have become more susceptible to revolutionary overthrow. Placing the question of the suffrage outside the Constitution was another far-sighted device. When labor and democratic pressures for political participation mounted after World War I, property qualifications could be dropped and even proletarian political parties recognized without having to revise the Constitution.

The lack of any real autonomy in local government, on the other hand, along with the very limited nature of the other concessions given by the Meiji oligarchs, prevented the development of strong democratic forces either on the local or national levels in Japan. The effects of this, it can be argued, are still being felt in Japan today. Thus, the decisions concerning the establishment of the system of local government in Japan—the principles and compromises made in the process—constitute an important chapter in Japan's adoption and adaptation of foreign models.

## I. THE HISTORICAL SETTING FOR LOCAL GOVERNMENT REFORM

During the first ten years of the Meiji era, commencing in 1868, the central government gathered power into its hands in order to unify the country under the new regime and to meet the pressures of foreign imperialism. It abolished the autonomous *han,* the fiefs of the *daimyō,* and set up a new administrative structure, the prefectures or *ken,* aimed at ending traditional regional and local alliances. But for the first five years the new government relied on the remaining local administrative structures of the abolished *han* to collect taxes and maintain order.

During the seventeenth century, the *daimyō* had developed centralized administrations of their own and had extended their control down into the villages, but they continued to respect a number of autonomous functions. They made their own retainers more dependent on themselves and detached them from power bases of their own on the land. They gave certain functions to the town and village headmen, who consequently exercised the dual functions of repre-

senting the village community vis-à-vis those outside and above the village and of representing the higher authorities in collecting taxes and in carrying out other regulations. The localities were otherwise left pretty much on their own, as long as they complied with general regulations, caused no difficulty for the authorities, and, most important of all, delivered their required amounts of produce to the *han* and later the Meiji government authorities.[2]

Also during the Tokugawa period, the villages (*mura*) came to possess a kind of legal entity. As a corporate person, they could undertake certain legal transactions. They could enter into contracts with neighboring villages and purchase land to be used for communal purposes, such as forest or hill lands for lumber, firewood, or grazing, but not lands suitable for the production of the basic crop, rice. The village could even contest certain rights against encroachment from other corporate bodies.

Although the villages did not possess complete self-rule, neither were they artificial administrative units. They exercised their rights through carrying out the duties of collective responsibility on the village level and on the lower levels of "five-men groups" (*gonin-gumi*) that were composed of heads of five or so neighboring households, regardless of whether they were samurai or commoners [21, p. 73].

The concept of collective or communal punishment was also applied to the village in cases of failure to discharge its responsibilities as established by edict or custom. In the feudal hierarchy the individual was subordinate to his group, class, and position in the agricultural economy. The main producers were the tillers of the paddies who were grouped into hamlets and villages. Thus, the practice of holding the village collectively responsible for the production of a specified amount of tax-rice was used to generate social pressure for getting the peasants to help force each other to work harder for the benefit of their masters. The village was assessed a flat amount of rice, and if any of the members of the village failed to fulfill their quotas, the other members had to make up the difference.

In order to distribute the burdens over a larger number of people, several villages would band together and form a larger unit. They were called *kumimachi* and *kumimura,* and they were presided over by a *kumigashira.* The titles of the village headmen, most often *nanushi* or *shōya,* and their means for obtaining office, varied from locality to locality. Usually their positions were hereditary but in some cases they were elected by village elders (*toshiyori*) [2]. Consequently, it is seen that, in spite of its feudal character, local self-government of a sort existed at the time of the Restoration.

## II. THE FIRST WAVE OF LOCAL GOVERNMENT REFORM

The first organizational move by the new government on the local level was not

[2] See Harumi Befu, "Duty, Reward, Sanction and Power: Four-Cornered Office of the Tokugawa Village Headman," in [24, p. 47], and idem, "Village Autonomy and Articulation with the State: The Case of Tokugawa Japan" in [11, pp. 302–10].

aimed at disturbing the traditional village, but it did constitute a step that soon did do away with the degree of local autonomy that still existed. That step was the government's attempt to carry out a nation-wide census. To do this, the Household Registration Law (*koseki hō*) was issued in April 1871. It set up a completely new administrative unit, the *ku* (or district) under the jurisdiction of a registrar (*kochō*) and his deputy (*fuku kochō*). In the following year the *ku* evolved into a local unit of general administration headed by a *kuchō* or district chief and the *kochō* come to replace the traditional village headman. With the promulgation of these statutes in April and October 1872, the traditional village heads were abolished, at least in name, though often not in reality. Further consolidation followed in 1874, incorporating the district and village officials into the prefectural bureaucracy.[3]

An important reaction to the centralization of governmental power in the hands of the Satsuma and Chōshū oligarchs took place in 1874 when Taisuke Itagaki and other important leaders who had resigned from the government in protest presented a memorial to the throne calling for the establishment of a representative assembly on the national level. This was an action of the "freedom and people's rights" movement. On the local levels some governors called together local assemblies without waiting for national authorization. These were called people's assemblies (*minkai*). Concerning them, the local government specialist in the Home Ministry, Shōichi Ōmori, reminisced in 1922:

> Without laws or regulations permitting such a thing, prefectural assemblies and town and village assemblies were spontaneously set up, and compared to the assemblies of today, they were very serious affairs. (Of course, a lot of funny mistakes were made.)...Their serious attitude of deliberation was due to the fact that that was a period when agitation for popular rights was flourishing, but as time passed, the former attitude disappeared, and many clashes with the government officials occurred.[4]

Although the local assemblies did not get official recognition at this time, the year 1875 did mark a trend away from centralization. The *kuchō* and *kochō* positions devolved downward and they became the village-group heads and village heads, much like during the Edo period. The village's corporate status was again recognized, and more than that, even the *ku* was given the status of a corporate body.

Even before this, however, there had been a trend in government thinking and planning in the direction of modifying the over-centralization of the government and bringing order into internal administration. This was also connected with a desire to win over opponents to the regime. In 1874 the Department of Finance, which at that time controlled internal administration, drew up regula-

[3] See [25, pp. 13–18]. I am much indebted to Staubitz's fine work in the preparation of this paper.

[4] [20, p. 16]. This is my translation, a longer version of which may be found in [32, p. 30]. A good deal of the material for this paper comes from that study. It also contains a "Chronology of Events Affecting Japanese Local Government (1867–1926)" [32, pp. 121–30]. A Japanese translation of part of the thesis was published as [33].

tions for an Assembly of Local Governors (*chihōkan kaigi*). This was done in part to entice back into the government the able and influential Takayoshi (Kōin) Kido, who had resigned in opposition to the Formosan Expedition of 1874, as well as Itagaki who had also resigned, as mentioned.

At the first meeting of the Assembly of Local Governors in 1874 with Kido presiding, Minister-President Sanetomi Sanjō himself enunciated the government's new policy of decentralization, and the young emperor read a message calling this a representative assembly. The idea was that the assembly was to be a kind of lower house and the *genrō-in* an upper house. That is why the latter is translated into English as Senate. But it did not work out this way.

In 1878 after Toshimichi Ōkubo had become Home Minister (the Department of Home Affairs was set up in 1874 and took over responsibility for internal administration), he called together the assembly again and shortly thereafter established the procedure of calling it annually. It acted as a sounding board for discussions of local and regional problems and interests and as a source of opinions to which the government would give at least some consideration in its future decisions. It had originally been created as a concession to Itagaki and his followers, but it did not really deceive the opposition. After the establishment of the Municipal Code in 1888, its work became strictly administrative, meeting regularly. But until that time, it did play a role of some significance in the shaping of local government.

As mentioned, Kido presided at the first meeting of the assembly. He had been lured back into the government with the possibility that he could realize his ideas on local self-government. Where did Kido get this interest? It appears to go back to his participation in the Iwakura Mission to America and Europe in 1872–73 [4, pp. 151–62]. While in London, Kido met with Shūzō Aoki, his old friend who came over from Berlin where he had been attending lectures by Rudolf von Gneist, a German professor of political science who was very well known and who claimed that local self-government was the essence of constitutionalism. In describing the workings of local self-government Aoki told Kido that actually it resembled what prevailed in the old Chōshū *han* in which Kido had grown up.[5] This Prussian system sounded to Kido more compatible to Japanese conditions than the English system, admirable as it was, but which had developed out of historical conditions so different from Japan's. The ideas of Gneist were to prove decisive in the creation of the Municipal Code of 1888 but in the hands of others than Kido.

On his return to Japan in 1873, Kido found few supporters for his new ideas on local government. He considered local self-government in the Prussian sense absolutely necessary in dealing with the dissatisfactions of the recently deposed and dispossessed samurai in order to turn them into supporters of the government rather than participants in uprisings. However, a heart attack in 1875 and then death removed him from the scene.

The Satsuma Uprising of 1877 brought a temporary halt in the trend toward local government reform, despite Kido's ideas that it would be a preventative

[5] [1, pp. 45–48] as cited in [25, p. 21].

to that kind of activity. But as soon as the aftermath of the disturbance had subsided, Ōkubo took up Kido's ideas of decentralization of administration with renewed interest. This included the idea of returning to the localities more control over their own affairs. Ōkubo presented to the Council of State (*dajōkan*) a proposal for the reform of local governmental organization. After discussion in that body, the proposal was handed over for further investigation to Hirobumi Itō, then chief of the Bureau of Legislation. He, in turn, instructed Kowashi Inoue of the same bureau to put it in final form. After approval by the Council of State, it was submitted to the Assembly of Local Governors as the draft law for the reorganization of counties, districts, towns, and villages (*gunkuchōson henseihō*). It was accompanied by two other important drafts: the regulations for prefectural assemblies (*fukenkai kisoku*) and the local tax regulations (*chihōzei kisoku*). These "three new laws" (*sanshimpō*) were promulgated in July 1878. They were complemented by a fourth, promulgated in 1880, called the Law Regarding District, Town, and Village Assemblies (*kuchōsonkai hō*). Together they formed the basis of the Japanese local government system. With some revisions, they remained in force until superseded by the Municipal Code in 1888.

The positions of town and village officials were set forth in the first of the "three new laws," but the organization of town and village assemblies was not. It had been Ōkubo's idea that towns and villages should really be entrusted with self-government, which meant that this should be recognized by some fundamental law and not just by imperial decrees, which all of the above "laws" were. Moreover, he felt that town and village assemblies should be established in every appropriate locality, with the approval of the Council of State, and that they should be allowed to work out their own budgets. The *kochō* or village headmen should be elected, not appointed, if there were to be real local self-government. Just as Ōkubo was about to present these proposals to the Senate (*genrō-in*), after the Assembly of Local Governors had been given an opportunity to discuss them, he was assassinated in May 1878. But, as we have seen, they did get enacted and essentially in the form in which he presented them.

Ōkubo was concerned to see that national administration and local affairs were clearly differentiated. Local officials of the towns and villages were given responsibility only for local concerns, but city and district officials were given a dual charge, over both national and local administration. More importantly, local assemblies were set up at all levels, including the prefectural. Ōkubo considered he was rejecting foreign models in restricting local legislative authority to very narrow limits. Nevertheless, these laws turned out to be the high water mark of the return to decentralization.

## III. THE SECOND WAVE OF REFORM AND THE INFLUENCE OF GNEIST

The creation of local assemblies contributed to the general unrest surrounding what became known as the Crisis of 1881. The essence of that event was that

the Hizen leader, Shigenobu Ōkuma, was forced out of the government after submitting the best thought-out and most liberal of the draft proposals for a new national Constitution. Among the concessions by the entrenched oligarchs that helped bring the crisis under control was the promise by the emperor to promulgate a new Constitution by 1889. This maneuver enabled Hirobumi Itō to assume the mantle of the late Ōkubo and also to take the lead in drawing up the new Constitution. As Itō concentrated his study on the national level of Constitution making, it became possible for his new incipient rival, Aritomo Yamagata, to begin to concentrate his efforts on drawing up the local government component to this new power dispensation. (As it turned out, the Constitution was to say nothing about local government, because by then the local system had been set up.) Yamagata was able to start his task when he became home minister in 1883, since this department (it was soon to become a ministry) was in charge of internal administration.

It is interesting that again Shūzō Aoki, who in the meantime had become Japanese ambassador to Germany, played a role in introducing the ideas of Rudolf von Gneist, this time to Yamagata.[6] By this time it was clear that Prussia had become the foreign model preferred by the Meiji leaders of importance, despite some great differences of interpretation and emphasis among them. Yamagata came to believe that Gneist had in theory achieved an ideal integration of the continental European concept of corporate self-government with the English concept of civil self-government and thereby created the idea of *Zwischenbau* or the intermediate organizations between society and the state. The natural tendency in society, Gneist argued, is for the rich to work for their own aggrandizement through government at the expense of the poor. Conversely, if the poor got too much power, they would dispossess the rich. Thus, the rich should be given greater representation but they should be taught through the experience of taking responsibility for the administration of governmental affairs at the local level to think in terms of the good of the nation, beyond their own class interests. Nothing is better suited, he concluded, to do this and thereby welding the various classes in society together harmoniously and preventing clashes between them than a system of local self-government. Consequently he strove to introduce the system of honorary or unpaid service into Prussian government.

Gneist's definition of self-government was that it is

> ...the administration of the local bodies by unsalaried personnel who defray expenses from local taxes according to the regulations of national laws.[7]

[6] My sections on Gneist's ideas and Yamagata's role in the development of local government owe much to Staubitz's interpretation. Yamagata's role is given surprisingly little attention in the otherwise well-rounded study by Hackett [9]. Much emphasis, however, was placed on Yamagata's contribution to local self-government in *Taiyō* [29], the whole edition of which was devoted to Yamagata's life and achievements, written mostly by people who knew him and worked with him personally.

[7] Quoted in [15, p. 8]. Maeda does not give the specific source of this quotation, but for Gneist's own words at greater length, see [7, pp. 882ff.] [8, pp. 256ff.]. For a discussion

The "unsalaried personnel" Gneist had in mind would be recruited from the rural landed gentry and middle and upper burghers.

As a political theorist, Gneist was much influenced by the Freiherr and Prussian public administrator from Westphalia, Heinrich Friedrich Karl von und zum Stein, baron of the empire, to give his full name and title. During the Napoleonic Wars, when Prussia faced a threat to its national existence, Stein arrived at the idea that the firm establishment of the traditions of local self-government would ensure the continued existence of the nation no matter what calamity befell the central government. Stein came to believe that local participation in government would at once develop administrative independence and national loyalty and thus enable the country to survive even foreign occupation.[8]

There were undertones to this idea. It appealed to conservatives in Prussia who thought that, if the reins of local government were firmly in the hands of local landed gentry, the unsettling revolutionary bourgeois ideas from France would have less effect. Moreover, if the central government changed hands, as had happened in France, radical reforms could not be as easily enforced.

When Yamagata became home minister in 1883, his attention was caught by these ideas for a number of reasons, and because of his initiative and continued interest in the matter, he has often been cited as the founder of the system of local self-government in Japan. Likewise, it was through his successful efforts that universal military conscription was adopted in Japan, and consequently he is also known as the father of the modern Japanese army. It was interestingly enough this very effort that led to his involvement with local government reform [36].[9]

At the time the conscription ordinance was being drawn up in 1870, two main arguments were levelled against it. The first was that the stupid peasantry could not be taught to fight; men have to be brought up in a family of samurai traditions to be trained as warriors. This Yamagata knew to be false, because he had organized shock troops partly composed of peasants and townspeople which successfully engaged forces of the shogun before the Restoration [13].

The second argument was of a humanitarian nature. Universal military conscription, it was held, would be unjustly cruel, because by it men would be picked through the mere chance of their physical fitness, taken for military training from the homes they supported, and inevitably many would die on the field of battle, leaving their families destitute. On the other hand, those families which received a stipend, such as the families of the samurai, could bear such losses more easily. This argument is said to have impressed Yamagata and induced

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of the differences between Gneist's theories and his practice, see [10]. This was the secondary source mainly relied on by Staubitz in his interpretation, although his interpretation of Gneist is more favorable to Gneist because he is only concerned with Gneist's theories and not the difficulties of putting them into practice, as was Hahn.

[8] Stein wrote up these ideas in his "Nassau Memoirs," dated June 1807. This document is partly paraphrased in English in [6, pp. 224ff.]. An extensive treatment of Stein's thought is found in [34]. (Neither of these works were referred to in Staubitz's study.)

[9] See also [12].

him to search for some compensation for families which suffered losses because of the military duty required by one or more of their members.

When Yamagata learned in more detail from Aoki about the Prussian system of local self-government, he hit upon the idea of developing such a system in Japan as compensation for the conscription ordinance. Thus, in wartime it would be the duty of the older and more influential men in city, town, and village to see that local facilities were kept in repair and soldiers' families cared for. Local home-rule was to be a duty for the older men equal in weight to the obligation of the younger men to fight.

By the time Yamagata became home minister, he realized that there were only six years left before a national Constitution would be promulgated. Since he believed local self-government should come before a Constitution, he concerned himself with this task from the beginning.

Yamagata inherited an unfinished study on local government initiated by his predecessor, Akiyoshi Yamada. It was being done by Tamotsu Murata, who submitted it to Yamagata in May 1884. Actually it was not completed, although it was over a thousand pages. It was a draft administrative code, but each article was provided with comparisons with practices in various Western nations. Yamagata called a halt to this study probably because Murata had been associated with Yamada, who was one of Yamagata's rivals. Yamagata was interested in the foreign comparisons, but not because he felt Japan had no experience with local self-government [25, p. 59]. It is not generally realized that Yamagata's predecessors had already ordered rather extensive studies made of Japan's own history of local government. Yamagata was familiar with these. His reasons for wanting to study foreign models was because he desired that Japanese laws and institution be acceptable to Western nations. If Japanese law was respected, Japan could more easily get rid of the unequal treaties she had become saddled with upon first being "opened up."

Yamagata was interested in more than just window dressing. He and his contemporaries were examining the various Western practices of the powerful states for ideas that would be helpful in solving Japanese problems as they saw them. Yamagata thought he found what he wanted when he learned of Stein's theories of "local self-government," because, according to Staubitz, "in addition to providing for administration, it included a broad political content which sought to deal with the problem of political participation at the local level in the context of a constitutional form of government" [25, p. 67]. Yamagata had earlier already switched from a French model to a German on the question of the reorganization of the national police and also of the army.

Yamagata was able to learn a good deal about Stein's ideas through reading in translation *The Life and Times of Stein* (Cambridge, 1878) by J. R. Seeley, an English history professor at Cambridge. But desiring more background, he sent his trusted subordinate, Shōichi Ōmori, to Europe (1885–87) for further study on this topic. This enabled Ōmori to become subsequently the leading exponent of the German ideas of self-government.

While studying in Berlin, Ōmori heard lectures by Rudolf von Gneist himself

and also by his younger colleague at the University of Berlin, Dr. Albert Mosse, as indeed Hirobumi Itō and a number of other Japanese had done. Also during that period Yamagata was able, through the good offices of Ambassador Aoki, to invite Mosse to Japan, where he arrived in 1886 [30].

In addition to his high technical, legal expertise, Mosse brought with him Gneist's ideas developed not only from the earlier statesman Baron von Stein but also from another Stein, the still contemporary Austrian sociologist, Lorenz von Stein [25, pp. 89–96].[10] Following this Stein, Gneist taught that the state had two different uses: (1) to develop the civic morality of the people, and (2) to serve as an arena for the class struggle in which various groups seek their own economic interests. Gneist believed that this had involved von Stein in a contradiction because Stein expected the monarchy and its administrators to somehow arise above their own class interests and act selflessly. Gneist thought the problem was not solved by hoping for a good monarch but by preventing special interest groups from using the state for furthering their own interests. He took it for granted that the propertied class would dominate on the local level but felt this class could be harnessed for the common good, if they were taught by the state to be moral. This could be done by getting members of this class to take part in local administration. By doing this, besides learning to think in terms of the ideal of the state, these men of local wealth would be keeping the bureaucracy from interfering too much with local affairs and from becoming too dictatorial. By habitual service for the state, the propertied class would learn to think in terms beyond their own economic interests. Institutions should be shaped so as to require all citizens, who are able, to personally perform public duties.

What appealed to the Japanese about Gneist, among other things, was that he felt he could learn certain truths from English local government that could improve the workings of the Prussian state. His was not wholesale borrowing. Nor did he favor parliamentary government. Rather he considered constitutional hereditary monarchy the best kind to raise the state above society and to guide it in lines of national unity and the common good rather than on lines of class interest by the propertied classes for themselves. He had a pride in Prussian institutions that did not prevent him from borrowing, and this the Japanese admired.

Gneist's ideas were propagated in Japan by his younger colleague, Mosse, who, we have noted, arrived in Japan in 1886. He remained there throughout the period of the passage of the local government laws. During this time he gave a number of lectures which show him to be a thinker in his own right. Strangely enough, while these lectures survive more or less intact, they never seem to have been published in Europe. He disagreed rather sharply with Herman Roesler, also a disciple of Gneist but who had been brought over to Japan earlier by

[10] Staubitz relies on Kaethe Mengelberg's introduction to [26] which she translated, and her article [17, pp. 267–76].

Itō and who also remained during this period. But a discussion of the details of their differing positions lie outside of the scope of this study.[11]

Suffice it to say that Mosse was in favor of a type of local self-government that was more than local self-administration. He advocated honorary or unpaid local government mayors and assemblymen. He also favored the system of weighted suffrage, based on ability to pay taxes. That is, dividing the electorate into two classes for towns and villages and three classes for cities. In this way the non-taxpayers would not be able to oppress the taxpayers, in his view. Staubitz remarks, "By a remarkable feat of logic, Mosse concluded that a system of weighted suffrage would limit, not encourage, class conflict in society" [25, p. 117]. This system was incorporated into the Municipal Code.

Yamagata found himself in complete agreement with Mosse, especially because Ōmori, in whom Yamagata had complete faith, fully supported Mosse and all he stood for. Thus, Yamagata was much heartened by Mosse's arrival in 1886. Yamagata had already discarded not only the Murata draft in 1884 but also a subsequent draft completed the following year. Following Mosse's advice, Yamagata set up a special group to formulate the basic principles of local self-government. Yamagata himself chaired this Local System Compilation Committee (*chihō seido hensei iin*). Its membership consisted of Shūzō Aoki (now a foreign affairs vice-minister), Kiyoshi (Seinosuke) Nomura (vice-minister of communications), Akimasa Yoshikawa (home vice-minister), and Albert Mosse. Staff work was done by Senitsu Shirane, Kunizō Arakawa, and Shōichi Ōmori, who had to return from Germany for this [20, p. 16] [25, p. 76]. It soon produced a report on the "General Principles for the Reform of the Local Government System" (*chihō seido hensan kōryō*). On February 1, 1887 it was passed on to the cabinet. It soon came back to the committee with new suggestions and was revised in the direction of strengthening central control. In March it was submitted to the Assembly of Local Governors where it met stiff opposition which Yamagata had not expected but decided to largely ignore. He then had Mosse compose a draft of regulations concerning the organizations of self-governing bodies or *Gemeinde* (*jichi burakusei an*). This was submitted in two parts, one on cities and the other on towns and villages, to the cabinet in September and the Senate in November 1887.

[11] On Mosse, see [25, pp. 96–122], and on Roesler, see [22] of which there is a Japanese translation by Hideo Homma [23], cited by Staubitz. Staubitz says Mosse was completely unknown in Germany but it appears there were a number of editions of the *Handelsgesetzbuch* . . . he edited [19]. In its preface by Ernst Heymann, Mosse is highly praised for his contributions to the making of the Constitution and local government system in Japan. According to various biographies, including [35], Mosse combined being a judge with lecturing on constitutional law at the University of Berlin before he went to Japan and at Albertus University in Königsberg afterwards. But he seems to have suffered from some racial discrimination in the university side of his career. This may have had something to do with his work on Japanese government not coming out in Germany.

## IV. OPPOSITION TO THE DRAFT AND FINAL COMPROMISES

In the Senate (*genrō-in*), a heated discussion took place, some members advocating throwing the whole proposal out or at least postponing it until after the promulgation of the Constitution; others were of the opinion that there had been too much copying from foreign countries.[12]

In spite of the objections, most of the original draft was accepted. Much of the debate had centered about public elections for town and village heads and about giving salaries to the heads at least of the larger towns and villages over a certain population. The decision that was reached, after several days of debate, was to make all town and village heads honorary, but when the regulations finally emerged, it could be noted that the giving of salaries was allowed in some cases.

As for the earlier opposition in the Assembly of Local Governors, its members were afraid that such an unprecedented reform would violently shake the existing state of affairs and even affect the economy of the whole country. For instance, they maintained that when the *kochō* was an elected official in 1878, administrative work was neglected and that was why the office was again made appointive in 1883. But it was only so for a short time before the village head was again made elective, and they maintained, affairs slipped back into their former inefficient condition. These bureaucrats were of the opinion that all their work of straightening out local affairs had been in vain when elected officials with some power took part in local government. To this Yamagata replied that he was not overlooking the point but felt that the spirit of self-government must be nurtured first in order that constitutional government be effective, even though efficiency might be impaired by having village heads elected. He contended furthermore that the election of village heads was one of the basic principles of local self-government.

While it was not so difficult for Yamagata to overlook opposition from the local officials at this stage—though in the long run this proved fatal—the cabinet was another matter. It was the key arena. At this point an unexpected difficulty arose in the path of getting the new local government system approved. In 1888, just when Yamagata was about to present his revised proposal to the cabinet, it changed. The reorganization draft had already passed the Senate with only a few minor changes, but now it failed to get approval by the new cabinet. This disagreement arose from the fact that the original proposal had been presented to the Senate with the promise that there would be a special organization for the three major cities (Tokyo, Osaka, and Kyoto), and it had been passed with that proviso. But it was the new cabinet's opinion that a general, uniform organization should apply to the three major cities as well.

The new cabinet also disagreed about the appointment of city mayors. In the original draft the offices of town and village heads had been elective, but

[12] For quotations from the arguments of such men as Mamichi Tsuda, Hiroyuki Katō, and Saburō Ozaki, see [36, pp.402–5].

the Senate had just recently approved the promulgation of an ordinance for the appointment of city mayors, which automatically implied that the Senate disapproved of election for the important posts of city mayors. Yamagata, who, as has been pointed out, spoke so strongly in favor of public election of town and village heads, did not want to see city mayors appointed. He was angry about this new development, but he met it by making a compromise: if the three major cities would be placed under the general city system, the mayors (*shichō*) would be chosen by the governor and appointed by the emperor from among three candidates elected by the city assembly. (In the cities the voters would be classified into three weighted categories, based on the amount of direct city taxes paid. In the towns and villages there would be only a twofold division.) The Senate and the cabinet agreed to all this, and the ordinance was about to be published, when the Senate withdrew its approval from the first part of the compromise, namely that the three major cities should be included in the general city system. A final compromise was worked out to the effect that, just in the three metropolitan prefectures (*fu*), the governors (*fu chiji*) would fulfill the duties of the metropolitan mayors. This compromise satisfied Yamagata and mollified the Senate.

Out of the welter of influences and compromises was born the Municipal Code. It was really a turning point in Japanese legal history. Up until this time there were no laws, at least not in the sense of having been created through a legislative process; there were only imperial edicts or decrees and various kinds of orders from higher authorities to lower officials. Although the Diet (*kokkai*), which would bring the real legislative process into being had not yet been established, this Municipal Code was given the title of Law No. 1. It actually consisted of two parts: the Town and Village Code (*chōsonsei*) approved by the Senate in January 1888 and the City Code (*shisei*) in the month following. The cabinet approved both in March. On April 17, 1888, Hirobumi Itō, in his capacity as prime minister, signed the law, and Yamagata, as home minister, countersigned it, and on the 25th it was duly published in the official gazette (*kampō*). By calling this a law, the government was actually anticipating, its rationalization being that this was the first step in constitutional government. A long document explaining the principles of the system was attached to the law; and, in an unprecedented gesture, the Meiji Emperor gave his official blessing to the document in an edict (*jōyū*) of about two lines.[13]

## V. PUTTING THE SYSTEM INTO EFFECT

The promulgation of the code was one thing; putting it into effect was another matter. It was decided that it could not be applied throughout the country until certain conditions in the localities were investigated, changed where necessary,

[13] The reason for translating these municipal "systems" as "codes" or a "code" is that they were legislative acts that covered a broad area, although they did not have a higher standing than any more specific legislation. See [27, p. 483, fn. 41].

and then recognized as satisfactory. The code was to go into effect in cities designated by the home minister and in towns and villages approved by him, after he had received reports of competency from the prefectural governors in each case. Thus, from April 1, 1889, the law was to be enforced in one locality after another, coming to completion before the opening of the Diet in 1890. This task posed special problems.

It was immediately recognized that small villages of thirty to forty families could not meet such requirements of the new code as the setting up of an assembly, carrying out of elections according to regulations, and so forth. Consequently, such villages had to be amalgamated into larger entities capable of fulfilling their new functions. There were even some so-called villages in which no one lived any longer; others had only a handful of inhabitants. On top of this a previous decree had divided up the country into administrative districts (*daiku* and *shōku* or *gyōseiku*) each of which had one *yakuba* or "town hall" but which at the same time often embraced several towns and villages. This last decree was abrogated and superseded by the new Municipal Code, which meant that the traditional villages were in large part restored to their former position. In other words, the problem was one of amalgamating or regrouping the traditional units into new entities of cities, towns, and villages which would be able to carry out their new functions of "self-government" [31, pp. 267–71].

The state of statistics at that time was very poor. The first step was to make a survey of all localities. There were some seventy to eighty thousand towns and villages which had to be investigated. The undertaking was so vast under the circumstances that it was seriously debated whether it was possible. Supposedly the strongest determinant was the fact that the emperor had proclaimed that the Diet would open in 1890 and that the local government structure had to be set up by then. Yamagata, for one, stated that he was determined that the emperor's words would be fulfilled.

The problem of the cities was easier than that of towns and villages. Urban centers were distinguishable from rural areas along social and economic lines and were thus marked off as cities on the basis of a minimum population of twenty-five thousand inhabitants. The application of this standard in 1889 produced thirty-nine cities (*shi*), a figure that, with the increase in the Japanese population and the growth of industrialization, was to double by the end of Taishō (1925). The process of amalgamation, on the other hand, reduced the over seventy thousand towns and villages to 13,384. On an average, about five villages were amalgamated into one town (*machi*) or village (*mura*), and the old villages were thereafter known as hamlets or *buraku*. They did not lose their distinctive character altogether, however, despite the arbitrary way in which the amalgamations were carried out. The main consideration in making the amalgamations was whether or not there was a *yakuba* in the area. The inhabitants were, in some cases, consulted but not heeded, and the problem of communal ownership of property in the old villages was almost completely neglected. Old village communal interests did continue to survive but on a level

below the *mura,* which in many cases became simply an administrative unit.[14] Unfortunate as was the arbitrary nature of the amalgamations, their accomplishment in one year was considered by some to have been a great feat, rivaling the abolition of the fiefs and the setting up of the prefectures in 1871.

The three major cities, Tokyo, Kyoto, and Osaka, were included in the figure of the thirty-nine cities given above. Actually, as we have seen from the action of the cabinet, they were not included in the general city system. A special system of organization applied to them, distinguished by the fact that in them the function of the mayor would be taken over by the prefectural governor. This system was continued until 1898, when it was abolished and the three major cities were included in the general system, in which the city assembly would elect three candidates for mayor from which the government would choose one.

## VI. THE DEFEAT OF SELF-GOVERNMENT ON THE PREFECTURAL AND COUNTY LEVELS

In order to put local self-government and the relevant principles and compromises involved in perspective, it is instructive to note what was happening to the counties or districts (*gun*) and prefectures (*ken*), although a detailed analysis of them falls outside the scope of this study. The Code for Urban and Rural Prefectures (*fukensei*) and the County Code (*Gunsei*) were promulgated on May 17, 1890. The period for enforcement extended to 1900 (with the exception of Okinawa *ken* and Hokkaido which were organized later). In these codes the principles Mosse had proposed were far more compromised.

According to the Prussian concept of local self-government, there should be three tiers below the central government: (1) the villages and towns, (2) the counties or districts, and (3) the prefectures or provinces. Gneist and Mosse had seen such self-governing bodies as acting as a shield between the citizen and the central authority to help protect the freedoms and rights of the local citizens from direct interference in their lives by the central authorities. Village self-government alone was not enough, in their view, to protect the citizen. An intermediate layer (*Zwischenbau*), as we have noted, was needed.

Also for the promotion of governmental efficiency, in their view, partial self-government at the county and less so at the prefectural level was needed. In this way the administrative burden of the central government would be lightened, and affairs that were too complex or covered too large an area for villages and towns could be handled on a higher level but still within the scope of self-government.

Yamagata actually fought just as hard for self-government at the prefectural and county levels, but his efforts were partially annulled on the county level,

[14] Subsequently the authorities tried at various times to make the new *mura* social as well as administrative units. For instance, the old community properties were brought under the unified ownership of the *mura* in 1909, but still geographical and social barriers continued to prevent the *mura* from becoming really viable social units. See [14, p. 68].

and he suffered a resounding defeat on the prefectural level. This has generally not been perceived in studies on Yamagata or on local government.[15]

Opposition developed from three quarters: the prefectural bureaucracy, the Senate, and the group that was working on the drafting of the new Constitution (Itō and the others). Yamagata himself appeared before the Senate to argue for their consent, and he told the cabinet flatly that these laws must be passed. However, while debate on these issues was going on, Yamagata received an imperial edict ordering him to go to Europe to study the systems of local government first hand. He left on December 2, 1888. This was his second trip after a gap of twenty years. During his absence all of the self-government elements proposed for the prefectures and most of those for the counties were eliminated. It had been speculated that his trip abroad was engineered so as to get him out of the way for this purpose [25, p. 227]. When he returned on October 2, 1889, he found himself in the midst of a huge debate on treaty revision in which he had the casting vote [9, p. 121]. Soon he had to face the decision as to whether to accept the premiership and face the First Diet to be convened after the new Constitution went into effect. Thus, he did not have the time or energy to oppose the approval of these laws by the Privy Council.

The upshot of this situation is that Yamagata has generally been considered to have designed and approved of the whole local government system as it saw the light of day. Actually, as Richard Staubitz has shown in his dissertation, Yamagata had to compromise on the Municipal Code and in fact surrendered on the Prefectural Code [25, p. 229].

The small degree of self-government theoretically contained in the County Code proved abortive. While not really representative from below, the counties were considered an impediment to administration from above. Pressure was brought to bear in the Diet in 1912 and 1913 to abolish them, but this was thwarted by Yamagata. Only in March 1923, one year after Yamagata died, did the county finally lose its status as a body of self-government. For two years after that it continued as an administrative unit, and then it became nothing more than a geographical designation.

## VII. THE SCOPE OF THE RIGHT OF LOCAL SELF-GOVERNMENT

In order to delineate the actual scope of self-government that emerged from the Municipal Code, perhaps it is best to start with the question of what powers were devolved downwards from center. There was no question of a division of sovereignty, since that lay in the emperor. This code did not provide for individual authorization for projects initiated by local government (often called specific grants of power), such as has been in effect in England and the United States. Rather the general European system of general authorization (or general grants of power) within certain categories was followed. For instance, self-government

[15] At least this was so until Staubitz's study. See his chapters on the subject [25, pp. 172–228]. One reason for this lack of attention to Yamagata's defeat was Yamagata's own attempt to emphasize his successes and play down his defeats.

was bestowed on cities, within fixed limits, regardless of whether they were as small as forty thousand in population or huge metropolises, like Tokyo and Osaka. Self-government rights appeared to be rather broad. The Municipal Code stated:

> Cities, towns, and villages are juristic persons. They will receive governmental supervision and, within the limits of the law, will manage all their public [or communal] affairs and all affairs which have been attached to them by past laws and customs and may be assigned to them by future laws and imperial decrees.[16]

To illustrate, let us consider the case where a city decided it would be desirable to municipalize the production of its electricity. In this case, the city had to secure approval from its supervising authority for the taking over of the necessary facilities and for borrowing the necessary capital, but henceforth the management of what had become its public utility was entirely in its own hands. Quite the reverse is still true to a large extent in England and America, where local bodies have to submit bills authorizing changes in management policy to Parliament in England or to the state legislature in the United States.

Although the general legal authorizations or grants of power appeared generous, actually the "interference" of officials of the higher bureaucracy in Japan was excessive. In America and in European countries generally some police power is given to self-governing bodies, but in Japan even the largest cities had none. Self-governing bodies were denied not only police powers covering justice and national administration but also police powers covering communication (traffic) sanitation, building, etc. Even the big cities had no say in the closing of traffic on roads which were nominally under their jurisdiction and which they maintained by their own money. As the eminent Japanese authority, Tamon Maeda, put it, in Japan self-governing bodies were treated as "semi-incompetents" [15, p. 30].

Aside from the lack of police power, there was another flank on which local government bodies were vulnerable to "meddling" from higher authorities. This was the interpretation of the extent to which assigned (or delegated) duties (or functions) should predominate over "proper" (or inherently local) functions. Japanese law recognized the distinction between these two types of responsibilities in this way. All local government functions were originally delegated from the state, but when a self-governing body was recognized by law as a juristic person, it was obliged by its very existence to carry out the purposes for which it was created. This obligation constituted its inherent or "proper functions."

"Proper functions" (*koyū jimu*) in Japanese legal terminology meant activities intended to enhance the welfare of the inhabitants but did not require the exercise of governmental authority over them. Examples of such functions would be budget-making, collecting local taxes, fees, and rents, and building roads, canals,

[16] The original wording of the Municipal Code of 1888 was as follows: "A city (town or village) shall be considered a juristic person, and shall administer by itself its own affairs, subject to the supreme control of the Government" [16, p. 331]. This was Article 2 of Chapter 1 of Title1, but its wording was soon changed to what has been quoted in the text, which I translated from [28, Pt. 8, p. 16].

and bridges. Beyond that, local entities could exercise authority over local inhabitants only as agents of the central government. That is why there could be no local police, or even a dogcatcher, unless a national law or ordinance assigned the respective function to a specific kind of local entity.[17]

It is important to note that there were two types of assigned functions or duties. One type consisted of those assigned to the city, town, or village entity which included such things as the erection and maintenance of compulsory primary schools, measures to control contagious diseases, and the collection of national and prefectural taxes. The other was assigned to the mayor and concerned such things as census, conscription, school regulations, and road work demanded by law. The first of these required discussion by the city, town, or village assembly, whereas the latter did not. The majority of the functions were assigned directly to the executive, that is, to the city or town mayor or village headman.

The distinction between proper and assigned functions being tenuous at best, the presumption of the bureaucracy was always in favor of classifying functions as assigned. The "self-governing" bodies complained that they had been given so many compulsory duties that they had no time left for carrying out their own intrinsic business. The excess of assigned functions dried up their material resources as well as consumed the time of their personnel. The tendency was such that, for instance, by the end of the First World War about half of the budget in all towns and villages was used up in the elementary school expenses. The smaller the town, the bigger the proportion of expenses thus used. Under such circumstances it was only a matter of course that most of the functions of town government were taken over by their officials (*ri'in*).

The main relationships the people would have with their town halls (*yakuba*) would concern nationally delegated affairs, such as registration, draft, inoculations, taxes, etc., which the officials would often transact reputedly with a very official air. The *yakuba* or *yakusho* thus contrasted with the English town hall or the French *hôtel de ville* in the fact that it had none of the atmosphere of being a public meeting place. In sum, it may be said that this narrowing down of the proportion of affairs that could be acted on through local initiative and the converse increase in the proportion of assigned functions constituted one of the most serious causes for the lack of popular interest in local government in prewar Japan.

This situation only grew more pronounced with the passage of time and was aggravated by the practice of government subsidies. By 1930, 60 per cent of local expenses were obligatorily set aside to pay for the execution of assigned functions. Taking the total expenditures of cities, towns, and villages, which amounted to over ¥1,170 million, the amount they spent in 1927 on assigned functions was over ¥700 million.[18] At the same time, the amount of grants and subsidies received from the state and from prefectures was a little over ¥130 million. The municipalities were thus compensated by subsidy in the neighbor-

[17] See [27, pp. 49–50]. The classic work on this question is [18], cited by Steiner.

[18] The figures quoted in this paragraph are from [15, p. 31].

hood of barely one-sixth of the amount they spent on assigned functions. A study of particular items would often reveal a smaller proportion. Perhaps the best example is provided in the expenses which every city, town, and village was required to pay by law for the maintenance of military drill fields used by the young men's associations and public schools. In the 1920s the government annually gave to the localities ¥1 million in subsidies for this purpose. But in order to maintain their fields according to the required standards, most municipalities had to supplement the amount they received in subsidy by ten times that amount. Consequently the financial freedom of the local bodies of self-government was curtailed not only by the large amount of assigned functions but also by the fact that the subsidies they received were inadequate for carrying out the orders from above.

Finally there is one more area in which the principles of self-government were supposed to apply, although the scope of the applications of the principles was admittedly minute. This area consisted of the self-governing bodies (*jichi dantai*) of a quasi-governmental nature, including irrigation associations (*suiri kumiai*), chambers of commerce and industry (*shōkō kaigisho*), and agricultural associations (*nōkai*). They were called public associations (*kōkyō kumiai*), and were recognized by law as public juridical persons.[19] They bore the rights and duties of executing, within the scope of the purpose for which they were established, functions assigned them by the state, that is, business which the state had to have done. Their self-government consisted only of determining what should be done in their particular circumstances to fulfill the general requirements.

There was also a theoretical difference between these public associations and the regular units of local self-government, although they were all considered "public entities." That was this: the regular units, which formed prefectures, cities, towns, and villages, had as their two essential elements (1) area and (2) the people residing on that area, making them territorial units. The only essential element for public associations was people who possessed appropriate qualifications, and they were determined by conditions outside the control of law. That is, in the case of irrigation associations, for example, a man would qualify for membership only if he possessed land, a house, or other improvements within the area that came under the jurisdiction of the association. In other words, public associations were more functional than territorial, and as auxiliary organs of local government, their purpose was to improve the economic condition of their members.

## CONCLUSION

The system of municipal government of cities, towns, and villages in Japan was established to strengthen the foundations of the Japanese state. Although conflict and compromise characterized the process of setting up the systems of local government, they were staffed, supervised, and perfected by bureaucrats. As such, local government became a device for executing policy from above rather

[19] The Japanese legal terminology here follows [3, pp. 209–11].

than registering and carrying out the various interests of the people below. Since the organs of local self-government were so bereft of power and independent resources, local residents looked upon them more as extensions of the central government than as means for promoting their own immediate welfare. The corruption and impotence of the local assemblies helped to bring representative institutions in general into disrepute in pre–World War II Japan. This, combined with the feudal legacy of resigned obedience, led to an apathy that only recently is being overcome.

The origin of the impotence of local government, determined in the formative period and later intensified, can be traced to the exigencies involved in strengthening the Meiji regime after it had overthrown the shogunate in 1868. Inasmuch as this regime could not count unreservedly on the loyalty of various clans, it had to send its representatives to superintend them and act as liaison. It had to set up new local divisions in order to confound old local loyalties, and, once this movement was under way, it could not stop short of abolishing the local power of the *han* and centralizing all authority. In this respect the Restoration was a revolution, but it was not a popular revolution in the sense that the French Revolution of 1789 was. No large-scale uprising of the peasants and townspeople against the old order took place, as in France. Power was not torn from the nobility; it only shifted from one section of the ruling classes to another. The shōgun was replaced by the emperor; the *daimyō* were bought off; and the Chōshū and Satsuma oligarchs came to wield power. If this had been a popular revolution, the local populace could have been encouraged to organize autonomously on the local level, as indeed some of them did. The Meiji government, however, was suspicious of all independent power and bent its efforts to centralize control and standardize local administration.

Furthermore, it had to centralize for economic reasons. Japan was a poor country. It had few natural resources and no industry. Since the leaders of the Restoration movement were samurai, national reconstruction meant to them above all the construction of an army and navy. For this they needed money, and it became imperative for them to concentrate economic resources in the hands of the central government. New local government officials were sent into the localities to gather the new land tax which was to be a money tax collected from the peasants, replacing the rice-tax they formerly had to pay to local feudal lords. The samurai, relieved of their former privileges, pressed the government for jobs and soon formed a national bureaucracy, known for its arrogant *esprit de corps*. These developments stamped on local government the characteristics which were intensified by subsequent developments.

Since the founding of the municipal system in 1888, the struggle of the masses of the Japanese people for real local self-government was smothered in a number of ways. The spontaneously developed people's assemblies (*minkai*) were institutionalized by the authorities in such a way as to deprive them of almost all power. They did not really share in administration in a meaningful way nor did they control local policy. Without the power of the initiative, they could only refuse to pass bills, but a refusal to consent to the budget would be met by independent

action on the part of the mayor. The institution of the three-class electoral system, in effect, disenfranchised the rising middle classes and professional people as well as the growing numbers of industrial workers. This electoral system, which had been applied to local government in Prussia in 1853 and lasted there until the revolution of 1918, continued on in Japan for seven more years. When it was finally abolished in 1925, the infamous Peace Preservation Law was simultaneously enacted which enabled the government to label increasingly broader types of political thought to be subversive.

Although the spirit in which the Municipal Code was organized was consciously Prussian, the form was French. As in France, there were no intermediary states as there were in the contemporary Hohenzollern Reich nor was there any such diversity of local systems. The pyramidal French system was the work of Napoleon at a time when he no longer trusted his people. He placed prefects, subprefects, and mayors beside the locally nominated deliberative bodies and deprived local units of their independent police powers. This was done in Japan, too. The historical origins of French local institutions were such that, although France became a democracy during the Third Republic, she developed little real self-government on the local level. Germany under the kaiser, on the other hand, could hardly be called democratic; still, in her cities a great measure of local self-government developed, blossoming into beautiful places to live and work and serving as a training ground for men who came to power in the Weimar Republic. Japan, conversely, became neither a democracy nor did popular self-government develop, in spite of the fact that she made an attempt to lure untrained, unsalaried local citizens into municipal government—an idea which came to Japan through Gneist's interpretation of English local government.

It is true that Japanese local units, like the Prussian (and unlike the English and American which were granted *specific* powers), were given, by general laws, a wide grant of powers to do anything within their areas they saw fit as long as it did not conflict with the laws of any superior body and provided that it was approved by the superintending authority. However, the advantage of not having to get specific bills passed by higher deliberative bodies was cancelled by the disadvantage of losing almost all independence of action through the minute supervision of higher authorities. These authorities used their positions to prevent local units from carrying out many projects they wished to and also often forced on local units undertakings in which the local people were not interested or to which they were opposed. That Yamagata had foreseen and opposed this is interesting. The bureaucracy did become politicized, but in later years Yamagata himself was not above using his own political powers in the bureaucracy for his own ends.

In this, and in most respects, Japanese local government originated and developed very differently from that in the United States. At the very beginning American local government on the eastern seaboard played a decisive role in the revolutionary activities of 1776 and was supported enthusiastically by people at the grass roots level. The federal government was only organized when it became obvious that some of the most pressing problems could not be solved

under the Articles of Confederation. Already in colonial America, town meetings and legislatures had developed in order to carry on necessary governmental functions, and the legislatures exercised real power vis-à-vis the royally appointed governors. Throughout the nineteenth century and up until today, American local government has been characterized by periods of spreading corruption and then the rise of reform movements which brought about certain structural changes and "cleaned up" local government only to see corruption take on new forms and develop again. In any case, the machinery and legal leeway allowing for the rise of reform movements has been immeasurably greater throughout its history than has been the case in Japan until recently.

Just as Japanese municipal government during the later Meiji, Taishō, and early Shōwa periods was a product of the transformation brought about by the Restoration, so present-day Japanese municipal government has been refashioned by the work of American Occupation reformers and by the change of internal political forces brought about by Japan's unprecedented defeat. However, the "reverse course" also began under, and was fostered by, the American Occupation authorities, putting a dampener on local reform activities. Since then political participation on the local level appears to have gradually vitalized, as seen in the growth of "progressive" parties on the local level and the recent spread of "citizens movements."

These developments help to confirm what this review of the establishment of municipal government in Meiji Japan seems to imply: namely, that the question as to whether foreign models are used or not in any governmental or other type of reorganization is less important than in whose interest the change is being made. The crucial question, in this author's opinion, should be whether wider circles of people will be able to participate in a meaningful way in making the decisions concerning their own life.

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